

1 I. NEEL CHATTERJEE (STATE BAR NO. 173985)
nchatterjee@orrick.com
2 MONTE M.F. COOPER (STATE BAR NO. 196746)
mcooper@orrick.com
3 THERESA A. SUTTON (STATE BAR NO. 211857)
tsutton@orrick.com
4 MORVARID METANAT (STATE BAR NO. 268228)
mmetanat@orrick.com
5 ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
6 Menlo Park, CA 94025
Telephone: 650-614-7400
7 Facsimile: 650-614-7401

8 Attorneys for Plaintiff
FACEBOOK, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

14 FACEBOOK, INC.,

15 Plaintiffs,

16 v.

17 POWER VENTURES, INC. a Cayman Island
Corporation,; STEVE VACHANI, an
18 individual; DOE 1, d/b/a POWER.COM,
19 DOES 2-25, inclusive,

20 Defendants.

Case No. 5:08-cv-05780 JW

**ADMINISTRATIVE MOTION FOR
SEALING ORDER PURSUANT TO
CIVIL L.R. 79-5(D) IN CONNECTION
WITH FACEBOOK'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

Dept: Courtroom 9, 19th Floor
Judge: Honorable James Ware

Pursuant to Local Rules 7-11 and 79-5(d), Plaintiff Facebook, Inc. submits this Administrative Motion for sealing order regarding: 1) portions of Facebook's Motion for Partial Summary Judgment on Count 1 against Defendants; 2) portions of the July 20, 2011 deposition transcript of Defendant Steve Vachani attached as Exhibit 2 to the Declaration of Monte M.F. Cooper In Support of Facebook's Motion for Partial Summary Judgment of Liability Under the CAN-SPAM Act; 3) Exhibit Nos. 2, 3, 4, 8, 9, and 11 attached to the Declaration of Monte M.F. Cooper In Support of Partial Summary Judgment on Count 1 against Defendants; and 4) the entirety of the Declaration of Larry S. Melling in Support of Facebook's Motion for Partial Summary Judgment on Count 1 against Defendants.

Defendants Power Ventures, Inc., Steve Vachani, and other witnesses affiliated with Power Ventures have designated the aforementioned materials as "Highly Confidential-Attorneys' Eyes Only" pursuant to the parties' Protective Order (Dkt No. 95). Facebook disagrees with these confidentiality designations and hereby lodges with the Clerk, pursuant to Civil L.R. 79-5(d), the aforementioned materials, pending this Court's decision following the filing of Defendants' Declaration (demonstrating good cause to seal these materials from the public record) and narrowly tailored proposed sealing order. Civil L.R. 79-5(d).

Dated: November 14, 2011

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/ Morvarid Metanat /s/

MORVARID METANAT

Attorneys for Plaintiff
FACEBOOK, INC.